

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
COUNTY OF STEPHENSON

07 C 6467

KAREN DIETER,

Plaintiff,

vs.

HONEYWELL INTERNATIONAL, INC.,

Defendant.

JUDGE NORGLE
MAGISTRATE JUDGE KEYS
CASE NO. 07 L 29

Alias SUMMONS

To each Defendant: Honeywell International, Inc.
Illinois Corporate Service Company
801 Adalie Stephenson Drive
Springfield, IL 62703

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance, in the office of the clerk of this court, Stephenson County Courthouse building, 15 N. Galena Avenue, Freeport, Illinois within 30 days after service. IF YOU FAIL TO DO SO, A JUDGMENT OR DECREE BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the Officer:

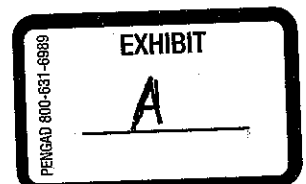
This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so indorsed. This summons may not be served later than 30 days after its date.

Witness, Oct 4, 2007
Bonnie Curran / Edf
Clerk of Court

(Seal of Court)

LAW OFFICE OF RENE HERNANDEZ
1625 East State Street
Rockford, IL 61104.
(815) 387-0261

Date of service _____, 2002
(To be inserted by officer on copy left with
Defendant or other person.)



SHERIFF FEES

Service and return \$ _____
 Miles _____
 Total \$ _____

Sheriff of _____ County

I certify that I served this summons on Defendants as follows:

(a)-- (Individual defendant -- personal):

(The officer or other person making service, shall (a) identify as to sex, race and approximate age of the Defendant with whom he left the summons, and (b) state the place and where (whenever possible in terms of an exact street address) and the date and time of the day when the summons was left with the defendant.)

(b)--(Individual defendants -- abode):

By leaving a copy and a copy of the complaint at the usual place of abode of each individual defendant with a person of his family, of the age of 13 years or upwards, informing that person of the contents of the summons.

(The officer or other person making service, shall (a) identify as to sex, race and approximate age of the person, other than the defendant, with whom he left the summons, and (b) state the place where (wherever possible in terms of an exact street address) and the date and time of day when the summons was left with such person.)

And also by sending a copy of the summons and of the complaint in a sealed envelope with postage fully prepaid, addressed to each individual defendant at his usual place of abode, as follows:

Name of Defendant	Mailing Address	Date of Mailing
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_____	_____	_____
_____	_____	_____

(c)-- (Corporation defendants):

By leaving a copy and a copy of the complaint with the registered agent, officer or agent of each defendant corporation, as follows:

Defendant Corporation	Registered agent, Officer agent	Date of Service
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_____	_____	_____
_____	_____	_____

(d)--(Other service):

_____, Sheriff of _____ County

**IN THE CIRCUIT FOR THE 15TH JUDICIAL CIRCUIT
STEPHENSON COUNTY, ILLINOIS**

Karen Dieter,)
)
Plaintiff,)
)
v.)
)
Honeywell International Inc.)
)
Defendant,)

COMPLAINT

NOW COMES the Plaintiff, Karen Dieter, by and through her attorney, René Hernandez, and for her Complaint against the Defendant for the deprivation of the Plaintiff's rights, she states as follows:

PARTIES, JURISDICTION & VENUE

- 1) This Court has jurisdiction over this matter as Plaintiff has brought a public policy retaliation claim against the Defendant. Plaintiff alleges that Defendant terminated her as a direct and proximate result of him suffering a work related injury and filing a Workman's Compensation Claim against the Defendant.
- 2) Venue is proper because the claims arose in the County of Stephenson.
- 3) The Plaintiff, Karen Dieter, is a resident of the City of Cuba City, County of Grant, State of Wisconsin.
- 4) The Defendant, Honeywell International Inc. is an International Corporation with its headquarters located in Morristown, New Jersey with a satellite that

conducts business and is located in the City of Freeport, County of Stephenson, State of Illinois.

- 5) Plaintiff, Karen Dieter, was employed by Defendant, the Honeywell, Inc., beginning on or about September of 1984 through April 4, of 2006 when the Plaintiff was terminated, the Plaintiff worked as a Team Assembler for Honeywell, Inc.
- 6) The Defendant manufactured heavy duty equipment for machinery such as heavy duty switches.

Count I: Claim for Retaliatory Discharge for Filing of Worker's Compensation

- 7) Plaintiff, Karen Dieter, restates and realleges paragraphs 1 through 6 of the Introduction of the Complaint as paragraphs 1 through 6 of Count I of the Complaint.
- 8) Plaintiff, Karen Dieter, began her employment under the Defendant, Honeywell International Inc., on or about September of 1984 and continuously worked their up until she was terminated on March 31, 2006.
- 9) The Plaintiff, Karen Dieter, on July 27, 2004 injured her shoulder and had damage to her rotator cuff while working for the Defendant.
- 10) The Plaintiff informed her employer, the Defendant of this injury various times and on September 6, 2005 the Plaintiff, Karen Dieter, formally filed a claim for worker's compensation to the Defendant, Honeywell International, Inc., her employer at the time.

- 11) Immediately thereafter, on September 7, 2005 the Defendant, through their agents Jean Bartsch, production supervisor, and Cynthia Ernst, Operations Supervisor, began to inform the Plaintiff of alleged deficiencies in her work.
- 12) On September 8, 2005 the Defendant through their agent, Cynthia Ernst, told the Plaintiff that she should maybe work for someone else.
- 13) On February 6, 2006 the Defendant through their agent, Kori Williams, suspended the Plaintiff for alleged threatening comments that she made about the treatment that she was receiving at work and for allegedly abusing prescription drugs.
- 14) At no time did Plaintiff make any threatening comments nor did she ever abuse her prescribed medicine.
- 15) In addition, as retaliation the Defendant placed the Plaintiff on a zero tolerance policy for any behavior that appears to be threatening and or insubordinate.
- 16) On April 4, 2006 Karen Dieter was discharged in retaliation from her employment with the Defendant, Honeywell International Inc., for violating the zero tolerance policy which stemmed directly from the retaliation due to the Plaintiff filing a worker's compensation claim.
- 17) The Defendant's actions have a causal connection to the Plaintiff filing a worker's compensation claim, the Defendant has unlawfully retaliated against the Plaintiff because such a discharge violates public policy
- 18) As a direct and proximate result of Defendant's illegal termination, Plaintiff has suffered damages, including loss of wages and benefits, suffered mental embarrassment and humiliation. Said damages continue to accrue.

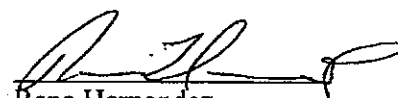
- 19) The Defendant acted with either actual malice or reckless disregard to Illinois public policy when the Defendant retaliated against the Plaintiff for filing a workers compensation claim warranting punitive damages.

Wherefore, the Plaintiff, Karen Dieter, prays this Honorable Court enter a judgment in favor of the Plaintiff and against the Defendant, Honeywell International Inc., in an amount excess of \$50,000 for Defendant's retaliatory termination of the Plaintiff and Plaintiff asks for compensatory damages, for the payments of attorneys fees and court costs, and for punitive damages.

JURY DEMAND

Plaintiff respectfully requests trial by jury.

Respectfully Submitted


Rene Hernandez
Attorney for Plaintiff

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Fax - (815) 387-0264